

Module Title:	Contract Law 1
Language of Instruction:	English
Credits:	10
NFQ Level:	8
Module Delivered In	3 programme(s)
Teaching & Learning Strategies:	<p>Lectures - communication of knowledge and ideas from the lecturer to the learner. Problem Solving Exercises - learners will work as part of a team and will work together to resolve various legal scenarios. Class Discussion/Debate - Learners will be encouraged to actively participate in the class sessions which will develop their analytical and communication skills. E-Learning - It is envisaged that the module will be supported with on-line learning materials. Self-Directed Independent Learning - the emphasis on independent learning will develop a strong and autonomous work and learning practices.</p>
Module Aim:	<p>The aim of this module is to guide the learner through a course of study, which will enable her/him gain knowledge of the principal theories of contract law. It aims to provide a learning environment, which will enable the student develop the analytical skills required to apply their legal knowledge to various scenarios.</p>
Learning Outcomes	
<i>On successful completion of this module the learner should be able to:</i>	
LO1	Appreciate the legal elements required to form a binding contract and be able to assess and evaluate the impact of these required elements upon various legal scenarios.
LO2	Distinguish between various types of contract terms, understand their relative importance and effect, and appreciate the impact of the distinction between such terms.
LO3	Assess the impact of mistake and misrepresentation on a contract and be able to discuss the approach of the courts to these invalidating factors.
LO4	Appreciate how public policy considerations have impacted upon both illegal and void contracts and be able to analyse the contractual capacity of both individuals and corporations to enter into enforceable contracts.
Pre-requisite learning	
Module Recommendations	
<i>This is prior learning (or a practical skill) that is recommended before enrolment in this module.</i>	
No recommendations listed	
Incompatible Modules	
<i>These are modules which have learning outcomes that are too similar to the learning outcomes of this module.</i>	
No incompatible modules listed	
Co-requisite Modules	
No Co-requisite modules listed	
Requirements	
<i>This is prior learning (or a practical skill) that is mandatory before enrolment in this module is allowed.</i>	
No requirements listed	

Module Content & Assessment

Indicative Content

Formation of a Binding Contract

• Definition of a contract • The rules of offer and acceptance • Consideration • Intention to create legal relations • Formal and Evidentiary requirements • Capacity to Contract - minors - necessities-beneficial contracts of service

Construction of a Contract

• Contractual Terms and Representations • Express Terms – distinction between representations and terms, the parole evidence rule, collateral contracts • Implied Terms – implied terms at common law, good faith obligations as implied terms, terms implied under statute, terms implied under the Constitution, terms implied by custom. Sale of Goods and Supply of Services Implied Terms. • Exemption Clauses – definition, incorporation of exemption clauses, construction of the exemption clause, the core obligation and exclusion clauses, fundamental breach, refusal to apply exemption clauses, exemption clauses and third parties. • Consumer Protection – standard form contracts • Importance and relative effect of contractual terms

Invalidity

• Mistake – operative mistake (mistake of law, mistake of law in equity, common mistake of fact, common mistake of fact in equity, mistake as to the terms of the agreement, mistake in executing a deed or document, mistake as to title, mistake as to identity), remedies for operative mistake (rescission, rectification, damages), plea of non est factum • Misrepresentation – the statement (including silence as a misrepresentation), the causes of action (fraudulent, negligent and innocent misrepresentation, remedies and rescission. • Importance and relative effect of contractual terms

Specific Types of Contract

• Electronic Contracts E-Commerce Contracts including formation, applicable legislation, jurisdiction and the validity of electronic signatures. • Employment Law Employees and independent contractors Formation of employment contracts Terms of employment contracts Protective legislation.

Public Policy

Illegal Contracts – Illegal contracts at common law, statutory illegality, gaming and wagering contracts, the consequences of common law and statutory illegality, exceptions to ex turpi causa and in pari delicto, separate transactions, severance, pleading illegality, remedies. • Void contracts – contracts void at common law (including contracts in restraint of trade), severance of void provisions, repudiatory breach and enforceability.

Assessment Breakdown	%
End of Module Formal Examination	100.00%

No Continuous Assessment

No Project

No Practical

End of Module Formal Examination

Assessment Type	Assessment Description	Outcome addressed	% of total	Assessment Date
Formal Exam	End-of-Semester Final Examination	1,2,3,4	100.00	End-of-Semester

SETU Carlow Campus reserves the right to alter the nature and timings of assessment

Module Workload

Workload: Full Time		
<i>Workload Type</i>	<i>Frequency</i>	<i>Average Weekly Learner Workload</i>
Lecture	12 Weeks per Stage	3.00
Independent Learning Time	15 Weeks per Stage	14.27
Total Hours		250.00

Workload: Part Time		
<i>Workload Type</i>	<i>Frequency</i>	<i>Average Weekly Learner Workload</i>
Lecture	Every Week	1.50
Total Hours		1.50

Module Delivered In

Programme Code	Programme	Semester	Delivery
CW_BBLAW_B	Bachelor of Business (Honours) in Business with Law	3	Mandatory
CW_BBLAW_C	Higher Certificate in Business with Law	3	Mandatory
CW_HHLAW_B OLD	Honours Bachelor of Laws Degree - LLB	3	Mandatory